

Remarks

In view of the above amendments and the following remarks, reconsideration and further examination are requested.

Claims 1, 2, 4-13 and 21-26 are currently pending. Claims 2, 4-6, 9, 11, 13 and 21-26 were withdrawn from consideration. Claims 1, 7, 8, 10 and 12 are rejected.

Claims 1, 10 and 12 are rejected under 35 U.S.C. §102(b) as being anticipated by Stoklosa et al. (U.S. Patent No. 4,920,019). Claims 7-8 are rejected under 35 U.S.C. §103(a) as being unpatentable over Stoklosa et al. as applied to claim 1 and further in view of Hope et al. (U.S. Patent No. 5,422,200).

Claims 2, 4-6, 9-11, 13 and 21-26 have been canceled without prejudice or disclaimer to the subject matter contained therein.

The Applicant thanks the Examiner for his detailed response. In view of the Examiner's comments regarding the term "fixed" in claim 1 (page 11, lines 6-15), the Applicant has amended current claim 1 to more accurately point out and claim the invention by replacing the term "fixed" with the term "attached." The Applicant asserts that Stoklosa et al. does not teach that the batteries are attached to the lower insulation sheet 12. In other words, Stoklosa et al. merely discloses the battery in a condition made firm, stable, or stationary on the lower insulation sheet 12, not attached to the lower insulation sheet 12 (referencing the remarks of the Examiner on page 11 of the response). Consequently, the invention of claim 1 of the present application, which is characterized in that a plurality of battery cells are attached to the holding plate, excludes the disclosure of Stoklosa et al. As a result, Stoklosa et al. fails to disclose or suggest the present invention recited in claim 1.

The amendment was made to primarily address the accuracy and clarity of the claims and should not be construed in a limiting sense. The amendment should not be considered as limiting the scope of equivalents of the claimed features offered by the Doctrine of Equivalents. The content of the amendment was potentially present during the original disclosure at the time of filing the current application (based upon claims 17 and 18 as originally filed). In addition, the amendment is in response to the Examiner's remarks in the current Office Action (see page 11, lines 13-15, "Thus, since applicant...attaching, fastening, joining, or holding structure...by prior art"). For at least these reasons, the Applicant asserts that the amendment does not contain

new matter and that the currently amended claim 1 is fully supported.


Claims 7, 8, and 12 all depend upon claim 1. Therefore, allowance of claim 1 will result in the allowance of the claims depending upon claim 1.

Because of the above-mentioned distinctions, it is believed that claims 1, 7, 8, and 12, are allowable over the references relied upon by the Examiner. Furthermore, it is submitted that the distinctions are such that a person having ordinary skill in the art at the time of invention would not have been motivated to make any combination of the references of record in such a manner as to result in, or otherwise render obvious, the present invention as recited in claims 1, 7, 8, and 12. Therefore, it is submitted that claims 1, 7, 8, and 12 are clearly allowable over the prior art of record.

In view of the above amendments and remarks, it is submitted that the present application is now in condition for allowance. The Examiner is invited to contact the undersigned by telephone if it is felt that there are issues remaining which must be resolved before allowance of the application.

Respectfully submitted,

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